

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Amendment of Part 97 of the	)	WT Docket No. 05-235
Commission's Rules	)	
To Implement WRC-03 Regulations	)	RM-10781, RM-10782, RM-10783,
Applicable to Requirements for	)	RM-10784, RM-10785, RM-10786,
Operator Licenses in the Amateur Radio	)	RM-10787, RM-10805, RM-10806,
Service	)	RM-10807, RM-10808, RM-10809,
	)	RM-10810, RM-10811, RM-10867,
	)	RM-10868, RM-10869, RM-10870

**COMMENT VIA ELECTRONIC FILING**

The undersigned, Lawrence Macionski, W8LM wishes to make comment on the above captioned proposed rule making:

In the Release of July 20<sup>th</sup>, 2005 the Commission made the following statement:

*"24. Discussion. As discussed above, the current structure of operator license classes and their associated operating privileges was developed so that additional frequency privileges are a significant incentive for amateur radio operators to advance their communication and technical skills."*

That statement proves the necessity for Morse code requirements as Morse code is a viable communications mode that continues today and beyond. This commenter agrees that the skills of an entry level licensee does not need to be proficient in every mode of communications; however according to the above statement it is counter-productive not to include some sort of Morse code requirement for advancement. What would be the incentive to learn Morse code as a communication skill if it was not required at the most advanced skill level, as the Extra Class license offers the greatest amount of additional operating spectrum devoted to Morse code.

Therefore it is only prudent to request the Morse code requirement continue IF ONLY for advancement to the highest class licensees. Not to do so would be akin to requiring proficiency in some other aspect of Amateur Radio such as fast scan Television. Morse code is still the simplest form of communications. A proficient Amateur operator can build a Morse code transmitter with a handful of parts. Proven designs can be made with 20 or less components. Likewise a receiver capable of receiving Morse code has been built with the same number of components. This cannot be done with any other advanced forms of communications mentioned in FCC NPRM 05-235.

The Communications Act of 1934 opening paragraph states that its purpose and the ***VERY REASON FOR THE FORMATION OF THE FCC*** is to provide cost effective communications to ALL Americans on an equal basis. FAILURE to recognize Morse code as a viable communications form is to deny the poorest of Americans an opportunity to participate in a service on an equal basis. The NPRM fails to comment on enhancing international good will

when poor operators in 3<sup>rd</sup> world countries are using Morse code and the FCC has allowed US Amateurs to abandon it. I forecast that is a real possibility in the near future if the FCC releases all code requirements as it is proposing.

It is imperative for the FCC to demand proficiency in Morse code IF ONLY for its highest Class License.

Since I was first licensed in 1965, the FCC has relaxed and simplified its requirements, examinations and procedures. Children under the age of 8 have been licensed. You can't make it any simpler.

Eliminating Morse code for the Extra Class License negates the very concept of Advancing in Communications skills when the very simplest, most proven, reliable means of communications is eliminated.

Should the FCC eliminate the Morse code requirement, it will be just a matter of 1-2 generations of not learning it till it fades into obscurity. There will be a disparity between nations that require Morse code and those that do not.

When I attained the license Class of Amateur Extra, I considered myself entering the ranks of the best of the best. I passed the 20WPM code exam because I advance my proficiency on the air over a period of time while enjoying the service. I did not advance my code proficiency simply to attain the EXTRA class license for the purpose of relegating myself to Morse code operation; but for every aspect of every privilege the EXTRA CLASS license provided. I select the mode of communications I use. I know that I cannot communicate with someone else if they do not communicate with me in the same mode. Except I have on numerous occasions including emergency traffic communicated cross mode between SSB and Morse code. I have also communicated with a cancer victim who had his larynx removed. I was on FM and he was using Morse code. We could not have communicated unless we both knew Morse code. He could not walk down the street and talked to just anyone, but he could talk to me. Morse code is viable for cross mode communications.

In Conclusion for the above reasons I pray the COMMISSION adopts for all the above mentioned reasons, and RETAINS THE MORSE CODE REQUIREMENT FOR THE AMATUER EXTRA CLASS LICENSEE.

Respectfully Submitted,

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